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12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF WASHINGTON
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12 R.W., individually and on behalf of his
13 marital community,

14 Plaintiff,

15 v.

16 COLUMBIA BASIN COLLEGE, a
17 public institution of higher education,;
18 REBEKAH WOODS, in her official
19 capacity; and RALPH REAGAN, in his
20 individual and official capacities,

21 Defendants.

Cause No. 4:18-cv-05089-MKD

PLAINTIFF'S RESPONSE TO
DEFENDANTS' OBJECTIONS TO
EXHIBIT LIST

22 Plaintiff provides the following responses to the objections set forth by
23 Defendants to Plaintiff's exhibits (ECF 330)
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Ex. #	Description of Exhibit
12	Letter from R.W. appealing student appeals board decision regarding interim trespass restriction dated March 22, 2017

Plaintiff agrees that statements he attributes to providers within the letter constitute hearsay and cannot be taken for the truth of the matter asserted. Evidentiary value would be limited to the effect on listener. *See Los Angeles News Serv. v. CBS Broad., Inc.*, 305 F.3d 924, 935 (9th Cir. 2002).

Ex. #	Description of Exhibit
20	Pasco Police Department report dated March 6, 2017

Plaintiff agrees with Defendants for the same reasons set forth in response to Exhibit 12.

Ex. #	Description of Exhibit
49	Fall 2015 clinical journal

Plaintiff agrees to withdraw Exhibit 49

Ex. #	Description of Exhibit
50	Winter 2016 clinical journal

Plaintiff agrees to withdraw Exhibit 50



Ex. #	Description of Exhibit
51	Winter 2017 clinical journal

Plaintiff agrees to withdraw Exhibit 52

Ex. #	Description of Exhibit
67	R.W.'s Trios medical records with table of contents authored by Ralph Reagan, correspondence from R.W.'s counsel and March 29, 2017 letter from Dr. Cabasug regarding R.W.'s treatment status

This exhibits demonstrates the records that were reviewed by Ralph Reagan as part of his investigation which led him to impose sanctions on R.W. These records are relevant regarding upon what basis Reagan found R.W. to have engaged in misconduct and imposed sanctions upon him. As this is a bench trial, the Court is in a better position as the finder of fact to recognize the hearsay elements of these records.

Ex. #	Description of Exhibit
85	June 18, 2024 Request for Public Records
86	July 18, 2024 Response to Public Records Request

One of the questions before the Court is the scope and source of the authority of the decisionmakers at Columbia Basin College. *See R.W. v. Columbia Basin Coll.*,



1 77 F.4th 1214, 1227–28 (9th Cir. 2023); *see also* Jury Trial Day 4, pg. 725 ¶¶ 12-17
2 (ECF No. 289, pg. 80) Jury Trial Day 5 pgs. 932-33 ¶¶ 6-16 (ECF No. 290 pgs. 15-
3 16). Further, Defendants have suggested that the sanctions imposed on R.W. were
4 non-punitive in nature and do not constitute adverse action. In this case, the public
5 records request and the response by Columbia Basin College to the request make it
6 clear that there are no other written policies setting forth the scope of the Student
7 Conduct Officer’s authority beyond regulations contained in Wash. Admin. Code §§
8 132S-100. There are no alternate policies for the Nursing Program aside from the
9 program handbook. These exhibits are relevant to demonstrate that there are no other
10 sources of policy or authority.
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15 DATED this 30th day of January, 2025.

17 *s/Bret Uhrich*

18 Bret Uhrich, WSBA #45595

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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of January 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

Carl Perry Warring: cwarring@ecl-law.com
Andrew David Brown: abrown@ecl-law.com

s/ Bret Uhrich

Bret Uhrich

